

# Court of Appeals, State of Michigan

## ORDER

Francine R Wunder v David L Wunder

Docket No. 278808

LC No. 2005-705807-DM

Elizabeth L. Gleicher  
Presiding Judge

Mark J. Cavanagh

Pat M. Donofrio  
Judges

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In lieu of granting the delayed application for leave to appeal, the Court orders pursuant to MCR 7.205(C)(2) that the February 22, 2007 order is VACATED to the extent it awards plaintiff attorney fees. Attorney fees are permitted in domestic relations cases pursuant to MCR 3.206(C) and MCL 552.13. *Borowsky v Borowsky*, 273 Mich App 666, 687; 733 NW2d 71 (2007). The trial court failed to explain the basis for the attorney fee award. The matter is REMANDED to the trial court for reconsideration of plaintiff's request for attorney fees and costs and, in the event the court again finds such an award appropriate, explanation on the record of the basis for such fees. The delayed application for leave to appeal is otherwise DENIED.

The motion to file a reply is GRANTED.

This Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN - 9 2008

Date

*Sandra Schultz Mengel*  
Chief Clerk